98TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
98-1134

AUTHORIZING THE U.S. ARMY CORPS OF ENGINEERS TO PROVIDE GRANTS TO THE SEVERAL STATES TO ENCOURAGE AND FOSTER THE CONSTRUCTION OF NECESSARY PUBLIC CAPITAL INVESTMENT PROJECTS, AND FOR OTHER PURPOSES

OCTOBER 3, 1984.—Ordered to be printed

Mr. HOWARD, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 1330]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1330) to authorize the United States Army Corps of Engineers to provide grants to the several States to encourage and foster the construction of necessary public capital investment projects, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

TITLE I—NATIONAL COUNCIL ON PUBLIC WORKS IMPROVEMENT

SHORT TITLE

SEC. 101. This title may be cited as the "Public Works Improvement Act of 1984".

ESTABLISHMENT

SEC. 102. There is established a council to be known as the National Council on Public Works Improvement (hereinafter in this title referred to as the "Council").

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DUTIES

SEC. 103. (a)(1) Not later than February 15, 1986, February 15, 1987, and February 15, 1988, the Council shall prepare and submit to the President and the Congress a report on the state of the Nation's infrastructure (hereinafter in this title referred to as the "Infrastructure Report"). Each Infrastructure Report shall include, but not be limited to, an analysis of each of the following:

(A) the age and condition of public works improvements and changes in their condition from preceding years;

(B) the methods used to finance the construction, acquisition, rehabilitation, and maintenance of public works improvements, including but not limited to general obligation and revenue bonds, user fees, excise taxes, direct governmental assistance, and private investment;

(C) any trends in methods used to finance such construction, acquisition, rehabilitation, and maintenance;

(D) the capacity of public works improvements to sustain current and anticipated economic development and to support a sustained and expanding economy;

(E) maintenance needs and projected expenditures for public works improvements.

(2) In addition, each Infrastructure Report—

(A) shall include a discussion of infrastructure program priorities (including alternative methods of meeting national infrastructure needs to effectuate balanced growth and economic development); and

(B) to the extent practicable, shall provide, for other public works facilities owned or operated by the Federal Government, any State or local government, or any public agency or authority organized pursuant to State or local law, an analysis similar to the analysis provided under paragraph (1) for public works improvements.

(b) Not later than September 30, 1985, the Council shall—

(1) analyze criteria and procedures used by Federal agencies, States, and units of local government in inventorying existing and needed public works improvements and assessing the condition of public works improvements and develop and publish uniform criteria and procedures which may be used for conducting such inventories and assessments; and

(2) develop and recommend to the President and the Congress proposed guidelines for the uniform reporting by Federal agencies of construction, acquisition, rehabilitation, and maintenance data with respect to public works improvements.

(c) The Council shall convene its first meeting no earlier than February 15, 1985, and no later than April 15, 1985.

(d) In carrying out its duties under this section, the Council shall use existing data and sampling techniques to the maximum extent feasible. When developing new data under this title, the Council shall make every effort to assure that such data is developed in consultation with the States so that uniform methods, categories, and analyses are used.

(e) Each Infrastructure Report, when submitted to the Congress, shall be referred to the Committee on Public Works and Transporta-

tion of the House of Representatives and the Committee on Environment and Public Works of the Senate.

MEMBERSHIP

SEC. 104. (a) The Council shall be composed of five members—

(1) three of whom shall be appointed by the President;

(2) one of whom shall be appointed by the Speaker of the House of Representatives; and

(3) one of whom shall be appointed by the President pro tempore of the Senate;

from among persons knowledgeable and experienced in one or more of the following: public administration, planning, architecture, civil engineering, and public investment financing.

(b) A vacancy in the Council shall not affect its powers but shall be filled in the manner in which the original appointment was made.

(c) Four members of the Council shall constitute a quorum, but the Council may establish a lesser number as a quorum for the purpose of holding hearings, taking testimony, and receiving evidence.

(d) The Chairman of the Council shall be elected by the members of the Council.

(e) The Council shall meet at the call of the Chairman or a majority of its members.

(f) Members of the Council shall be appointed for the life of the Council.

(g) Members of the Council shall serve without pay, except that they shall receive per diem and travel expenses in accordance with section 5703 of title 5, United States Code.

DIRECTOR AND STAFF

SEC. 105. (a) The Council shall have a director who shall be appointed by the Council and shall be paid at a rate not to exceed the rate of basic pay payable to level V of the Executive Schedule.

(b) The Council may appoint and fix the pay of such additional personnel as the Council considers appropriate.

(c) The director and staff of the Council may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and may be made without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. Any Federal employee subject to the civil service laws and regulations who may be employed by the Council shall retain civil service status without interruption or loss of status or privilege. In no event shall any employee of the Council other than the staff director receive as compensation an amount in excess of the maximum rate of basic pay payable for GS-18 of the General Schedule.

POWERS OF THE COUNCIL

SEC. 106. (a) Upon request of the Council, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Council to assist the Council in carrying out its duties under this title.

(b) Upon request of the Council, the Secretary of the Army, acting through the Chief of Engineers, shall provide, on a reimbursable basis, such office space, supplies, equipment, and other support services to the Council and its staff as may be necessary for the Council to carry out its duties under this title.

(c) The Council may secure directly from any department or agency of the United States information necessary to enable it to carry out this title. Upon request of the Chairman of the Council, the head of such department or agency shall furnish such information to the Council.

(d) The Council or any member authorized by the Council may, for the purpose of carrying out this title, hold such hearings, sit and act at such time and places, take such testimony, have such printing and binding done, enter into such contracts and other arrangements (with or without consideration or bond, to such extent or in such amounts as are provided in appropriation Acts, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)), make such expenditures, and take such other actions as the Council or such member may deem advisable to carry out this title. Any member of the Council may administer oaths or affirmations to witnesses appearing before the Council or before such member.

ADVISORY GROUP

SEC. 107. (a) There is established an advisory group to provide such assistance and advice as the Council may request. Such group shall be composed of 12 members as follows:

(1) the Secretary of the Army, who shall be the Chairman of such group;

(2) the Secretary of Agriculture;

(3) the Secretary of Housing and Urban Development;

(4) the Secretary of Transportation;

(5) the Administrator of the Environmental Protection Agency;

(6) the Secretary of Commerce;

(7) the Chairman of the National Governors Association;

(8) the President of the National Conference of State Legislatures;

(9) the President of the National Association of Counties;

(10) the President of the National Association of Regional Councils;

(11) the President of the National League of Cities; and

(12) the President of the United States Conference of Mayors.

(b) The members of the advisory group shall serve without pay.

(c) The advisory group shall cease to exist on April 15, 1988.

CONGRESSIONAL BUDGET OFFICE REVIEW

SEC. 108. Not later than 90 days after the date on which each Infrastructure Report is submitted to the Congress by the Council, the Congressional Budget Office shall review such report and shall submit a report on the results of such review to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate.

TERMINATION

SEC. 109. The Council shall cease to exist on April 15, 1988.

FUNDING

SEC. 110. (a) From funds otherwise appropriated to the Secretary of the Army for purposes of civil works, the Secretary shall transfer to the Council in the fiscal year ending September 30, 1985, such amounts as the Council may request but not to exceed $3,200,000.

(b) There is authorized to be appropriated to the Council to carry out the provisions of this title $3,500,000 per fiscal year for each of the fiscal years ending September 30, 1986, and September 30, 1987, and $2,000,000 for the fiscal year ending September 30, 1988.

DEFINITIONS

SEC. 111. For purposes of this title, the term—

(1) "acquisition" includes the addition of land, sites, equipment, structures, facilities, or rolling stock by purchase, lease-purchase, trade, or donation;

(2) "construction" includes the design, planning, and erection of new structures and facilities, the expansion of existing structures and facilities, the reconstruction of a project at an existing site or adjacent to an existing site, and the installation of initial and replacement equipment for such structures and facilities;

(3) "public works improvements" means the following publicly owned civilian facilities: highways; streets; bridges; mass transportation facilities and equipment; resource recovery facilities; airports; airway facilities; water supply and distribution systems; wastewater collection, treatment, and related facilities; dams; federally owned buildings; docks and ports; waterways; and such other public facilities as the Council determines are critical for national economic development;

(4) "maintenance" means regularly scheduled activities, including routine repairs, intended to keep a facility operating efficiently; and

(5) "rehabilitation" includes the alteration of or correction of deficiencies in an existing structure or facility so as to extend the useful life or improve the effectiveness of the structure or facility, the modernization or replacement of equipment at an existing structure or facility, and the modernization of, or replacement of parts for, rolling stock.

TITLE II—FEDERAL CAPITAL INVESTMENT PROGRAM

SHORT TITLE

SEC. 201. This title may be cited as the "Federal Capital Investment Program Information Act of 1984".

PURPOSES

SEC. 202. The purposes of this title are—

(1) to provide budget projections for major Federal capital investment programs;

(2) to provide a summary of the most recent needs assessment analyses for those programs;

(3) to provide information on the sensitivity of the needs estimates to major policy issues and technical and economic variables;

(4) to assist the planning capabilities of State and local governments on the assessment of major capital investment programs; and

(5) to improve legislative oversight over Federal capital investment programs.

FEDERAL CAPITAL INVESTMENT PROGRAM REPORT

SEC. 203. Section 1105 of title 31, United States Code, is amended by adding at the end thereof the following new subsection:

"(e)(1) The President shall submit with materials related to each budget transmitted under subsection (a) on or after January 1, 1985, an analysis for the ensuing fiscal year that shall identify requested appropriations or new obligational authority and outlays for each major program that may be classified as a public civilian capital investment program and for each major program that may be classified as a military capital investment program, and shall contain summaries of the total amount of such appropriations or new obligational authority and outlays for public civilian capital investment programs and summaries of the total amount of such appropriations or new obligational authority and outlays for military capital investment programs. In addition, the analysis under this paragraph shall contain—

"(A) an estimate of the current service levels of public civilian capital investment and of military capital investment and alternative high and low levels of such investments over a period of ten years in current dollars and over a period of five years in constant dollars;

"(B) the most recent assessment analysis and summary, in a standard format, of public civilian capital investment needs in each major program area over a period of ten years;

"(C) an identification and analysis of the principal policy issues that affect estimated public civilian capital investment needs for each major program; and

"(D) an identification and analysis of factors that affect estimated public civilian capital investment needs for each major program, including but not limited to the following factors:

"(i) economic assumptions;

"(ii) engineering standards;

"(iii) estimates of spending for operation and maintenance;

"(iv) estimates of expenditures for similar investments by State and local governments; and

"(v) estimates of demand for public services derived from such capital investments and estimates of the service capacity of such investments.

To the extent that any analysis required by this paragraph relates to any program for which Federal financial assistance is distributed under a formula prescribed by law, such analysis shall be organized

by State and within each State by major metropolitan area if data are available.

"(2) For purposes of this subsection, any appropriation, new obligational authority, or outlay shall be classified as a public civilian capital investment to the extent that such appropriation, authority, or outlay will be used for the construction, acquisition, or rehabilitation of any physical asset that is capable of being used to produce services or other benefits for a number of years and is not classified as a military capital investment under paragraph (3). Such assets shall include (but not be limited to)—

"(A) roadways or bridges,
"(B) airports or airway facilities,
"(C) mass transportation systems,
"(D) wastewater treatment or related facilities,
"(E) water resources projects,
"(F) hospitals,
"(G) resource recovery facilities,
"(H) public buildings,
"(I) space or communications facilities,
"(J) railroads, and
"(K) federally assisted housing.

"(3) For purposes of this subsection, any appropriation, new obligational authority, or outlay shall be classified as a military capital investment to the extent that such appropriation, authority, or outlay will be used for the construction, acquisition, or rehabilitation of any physical asset that is capable of being used to produce services or other benefits for purposes of national defense and security for a number of years. Such assets shall include military bases, posts, installations, and facilities.

"(4) Criteria and guidelines for use in the identification of public civilian and military capital investments, for distinguishing between public civilian and military capital investments, and for distinguishing between major and nonmajor capital investment programs shall be issued by the Director of the Office of Management and Budget after consultation with the Comptroller General and the Congressional Budget Office. The analysis submitted under this subsection shall be accompanied by an explanation of such criteria and guidelines.

"(5) For purposes of this subsection—

"(A) the term 'construction' includes the design, planning, and erection of new structures and facilities, the expansion of existing structures and facilities, the reconstruction of a project at an existing site or adjacent to an existing site, and the installation of initial and replacement equipment for such structures and facilities;

"(B) the term 'acquisition' includes the addition of land, sites, equipment, structures, facilities, or rolling stock by purchase, lease-purchase, trade, or donation; and

"(C) the term 'rehabilitation' includes the alteration of or correction of deficiencies in an existing structure or facility so as to extend the useful life or improve the effectiveness of the structure or facility, the modernization or replacement of equipment at an existing structure or facility, and the modernization of, or replacement of parts for, rolling stock.".

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment to the title of the bill insert the following: "An Act to establish a National Council on Public Works Improvement to prepare three annual reports on the state of the Nation's infrastructure, to amend the provisions of title 31, United States Code, relating to the President's budget to require it to separately identify and summarize the capital investment expenditures of the United States, and for other purposes.".

And the House agree to the same.

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JAMES L. OBERSTAR,
BOB EDGAR,
JACK BROOKS,
DON FUQUA,
ELLIOTT H. LEVITAS,
GENE SNYDER,
WILLIAM F. CLINGER,
FRANK HORTON,
JOHN N. ERLENBORN,
Managers on the Part of the House.

ROBERT T. STAFFORD,
PETE V. DOMENICI,
DAVID DURENBERGER,
JENNINGS RANDOLPH,
DANIEL P. MOYNIHAN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1330) to authorize the United States Army Corps of Engineers to provide grants to the several States to encourage and foster the construction of necessary public capital investment projects, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

SHORT TITLE

SENATE BILL

The Senate bill provides that it may be cited as the "Public Works Improvement Act of 1984".

HOUSE AMENDMENT

The House amendment states that the Act may be cited as the "Federal Capital Investment Program Information Act of 1984".

CONFERENCE SUBSTITUTE

The conference substitute is divided into two titles. Title I pertaining to the National Council may be cited as the "Public Works Improvement Act of 1984", and title II pertaining to the Federal program may be cited as the "Federal Capital Investment Program Information Act of 1984".

NATIONAL COUNCIL ON PUBLIC WORKS IMPROVEMENT

SENATE BILL

The Senate bill establishes a National Council on Public Works Improvement to analyze the condition of existing public works facilities and recommend appropriate Federal actions. The Council has 15 members.

The Council is to be composed of the five major agencies which administer Federal public works programs, the leaders of the major public interest associations representing other levels of government in the United States, and four individuals expert in areas of the infrastructure issue that the Council will examine.

The Secretary of the Army is designated as Chairman of the Council.

A quorum consists of ten members of the Council.

HOUSE AMENDMENT

No comparable provision.

The conference substitute establishes a National Council on Public Works Improvement to prepare 3 annual reports on the state of the Nation's infrastructure. The Council is composed of 5 members, 3 appointed by the President, 1 appointed by the Speaker of the House of Representatives, and 1 appointed by the President pro tempore of the Senate. Such appointments are to be made from among persons knowledgeable or experienced in one or more of the following: public administration, planning, architecture, civil engineering, and public investment financing. To the extent practicable, the appointees to the Council shall be experts who are currently active in the private practice of the various fields. The conferees anticipate that the professional qualifications of the candidates for appointment shall be a major consideration in their selection, and that there will be efforts to ensure a balanced representation of the various fields on the Council. The Chairman of the Council is elected by the Council members. A quorum consists of 4 members, except that the Council may establish a lesser number for certain administrative proceedings. The Members of the Council are to serve without pay but per diem and travel expenses are authorized.

In addition, a 12-member advisory group chaired by the Secretary of the Army is established to provide assistance and advice to the Council. Members of the advisory group are to serve without pay. Due to the importance of the functions of the Council and the advisory group, the conferees would expect the designated members of the advisory group to attend advisory group meetings in person, but in the event that any such member is unable to attend a meeting he or she may designate a person to attend in his or her place.

COUNCIL ADMINISTRATION

SENATE BILL

The Senate bill authorizes up to thirty full-time government employees to be detailed to the Council from various agencies.

The Senate bill directs the Chief of Engineers to assign a staff director for the council and to provide administrative support services to the Council. The staff director could be either a civilian or military employee of the Corps' civil works program. Administrative support services, which would be reimbursed to the Corps from the Council's appropriations, include but are not limited to office space, supplies, and equipment, contract procurement of supplies

and services, data processing, and travel and meeting arrangements.

The Senate bill directs Federal agencies to cooperate with the Council and provide such information as the council may request.

The Senate bill directs the Council to hold its first meeting within two months of enactment of the bill, notwithstanding any vacanies in the four private members to be selected by the President.

The Senate bill provides the authority for administrative and investigative functions which the Council will need to complete its job.

The Senate bill authorizes a transfer to the Council of up to $500,000 within the Army-civil works budget for fiscal year 1984 in order to allow the Council to begin operations as quickly as possible. In the subsequent two year, the bill provides a separate authorization for the Council. No authorizations are provided beyond that time, as the Council's work is to be completed by the end of fiscal year 1986.

HOUSE AMENDMENT

No comparable provision.

CONFERENCE SUBSTITUTE

The conference substitute provides for detailing of Federal personnel to the Council on a reimbursable basis and directs the Chief of Engineers to provide administrative support on a reimbursable basis. Subject to the limitations of the Freedom of Information Act, Federal agencies are directed to provide necessary information to the Council. The conferees expect that the Council will receive full cooperation from all Federal agencies and that information requested by the Council will be provided on a timely basis. In addition, the Council shall consult with users of public facilities. The same administrative and investigative functions provided for in the Senate bill are provided for in the conference substitute.

The Council is authorized to appoint a staff director and staff. The director's salary is capped at the rate of pay payable to a level V of the Executive Schedule and the other staff salaries are capped at the maximum rate payable for a GS–18.

The Council is directed to hold its first meeting between February 15, 1985, and April 15, 1985, and is terminated on April 15, 1988.

The conference substitute directs the Secretary of the Army to transfer from the Army civil works budget to the Council in fiscal year 1985 an amount not to exceed $3,200,000 to carry out the conference substitute.

For fiscal years 1986 and 1987, $3,500,000 per fiscal year are authorized to be appropriated to the Council and for fiscal year 1988, $2,000,000 are authorized to be appropriated to the Council.

The respective authorizing Committees intend to evaluate the Council's work on an ongoing basis.

Assessment of Public Capital Improvements

SENATE BILL

The Senate bill requires the Council to prepare a report to be presented simultaneously to the President and the Congress by September 30, 1985. The report includes an assessment of public works improvements throughout the Nation. The assessment is to include an analysis of the average age and condition of various types of public works facilities, a study of the various means used to finance construction, rehabilitation and maintenance of those facilities, and an estimate of the capacity of public works improvements to sustain economic activity throughout the Nation and in specific regions, states, and major metropolitan areas.

The Senate bill requires the Council to complete by September 30, 1985 the development of uniform criteria and methodologies for conducting public works inventories.

HOUSE AMENDMENT

No comparable provision.

CONFERENCE SUBSTITUTE

The conference substitute, like the Senate bill, requires the National Council to assess the condition of the Nation's public works improvements and to determine the Nation's needs with respect to such improvements. Annual reports are required not later than February 15, 1985, February 15, 1986, and February 15, 1987, and the annual reports are to include an analysis of maintenance needs and projects expenditures of public works improvements and a discussion of infrastructure program priorities.

The Council will evaluate both the impact that past practices of deferring maintenance has had on current infrastructure needs and on projected operating needs for currently planned public works improvements.

The primary function of the Council is to prepare the annual reports on the State of the Nation's infrastructure. Each report will focus on those "public works improvements" necessary to sustain current and anticipated economic development and to support a sustained and expanding economy. This would include highways; streets; bridges; mass transit facilities and equipment (including rolling stock); resource recovery facilities; airports; airway facilities; water supply and distribution systems; wastewater collection, treatment, and related facilities; dams; federally owned buildings; docks and ports; and waterways.

The conference substitute gives the Council the discretion to expand the definition of "public works improvements" to include "such other public facilities as the Council determines are critical for national economic development". It is the intent of the conferees that the Council make liberal use of this flexibiiity; it is extremely important that each Infrastructure Report be as comprehensive as possible, especially with respect to those public works important to economic development.

The conference substitute also requires the Council to analyze other public works facilities owned or operated by the Federal Government or any State or local government. This authority is extremely broad and would include, but not be limited to, space or communications facilities, rail transportation systems, hospitals, and federally-assisted housing. The Council should, to the extent practicable, provide for these facilities an analysis similar to the analysis provided for public works improvements. The conferees want to emphasize the importance of this provision. While the reports will focus on our Nation's basic infrastructure, it is extremely important that the reports also include as much information as possible on all of the Nation's capital assets. Only in this way will the Executive Branch and the Congress be able to develop a more complete understanding of the relationship between the capacity and condition of public works and the health of the Nation's economy and its commercial and residential population.

The definition of "maintenance" is from the Senate bill. The definitions of "acquisition", "construction", and "rehabilitation" are from the House amendment. The term "public works improvements" is defined broadly.

The Congressional Budget Office is directed to review each Infrastructure Report and submit the results of such review to the authorizing committees of Congress within 90 days after Congress receives such report.

Changes in Federal Programs

SENATE BILL

The Senate requires the Council to issue recommendations for changes in Federal laws, regulations, and policies and for alternatives in the allocation of responsibilities among Federal, State and local governments that would, both immediately and permanently, lead to improvements in the condition and capacity of the nation's public works improvements. The Council is required to issue the recommendations by the end of fiscal year 1986.

The Senate requires the Council to transmit a detailed report to Congress and the President on alterations in current programs and responsibilities that will improve the state of the nation's infrastructure.

The Council is directed to pay particular attention to opportunities to restrucutre Federal, State, and local programs to eliminate duplication. The Council is also to call attention to regulations or procedures that contribute to waste or to delays in carrying out public works programs.

HOUSE AMENDMENT

No comparable provision.

CONFERENCE SUBSTITUTE

The Council shall not make specific recommendations for changes in laws and regulations. However, the conferees expect

that the Council will use the authority granted under section 103(a)(2)(A) of the conference substitute to discuss alternative infrastructure priorities and such other issues as may arise in the course of its work.

PURPOSES

SENATE BILL

No comparable provision.

HOUSE AMENDMENT

Purposes of Act are to provide budget projections for major Federal capital investment programs; provide a summary of most recent needs assessment for these programs; provide information of needs estimates to major policy issues and technical and economic variables; assist planning capabilities of State and local governments; and to improve legislative oversight.

CONFERENCE SUBSTITUTE

Same as the House amendment except the purposes are limited to title II of the Conference substitute pertaining to the Federal budget.

BUDGETARY INFORMATION ON PUBLIC CAPITAL INVESTMENTS

SENATE BILL

The Senate bill requires the President to include an analysis of public capital expenditures in his annual budget submission. The reporting requirements are effective for the budget transmitted after January 1, 1985, i.e. for fiscal year 1986.

The Senate bill contains the definition of public capital investment to be used by the President in his report and specifies some of the elements to be considered in that analysis.

The President is specifically required to submit a variety of spending projections in current dollars for the ensuing 10 year period and in constant dollars for a period of 5 years because consistent comparative information on future expenditures for capital investment programs is a necessary element in planning at the State and local level and in the budget deliberations of the Congress.

The Senate bill also requires that the President's budget submission include a summary on the most recent needs assessment for each major capital investment program and further requires that those summaries use a standard format and be based on similar assumptions.

The Senate bill also requires that the budget submission include a review of the major policy issues which might affect the needs assessments or future expenditures of the Federal Government in order to facilitate development of an integrated national infrastructure plan.

The information described above is to be organized on a State-by-State basis for federally assisted capital investment programs which use formulas to distribute the funds to State and local governments. Where possible a detailed summary of expenditures in each major metropolitian area is to be included.

HOUSE AMENDMENT

The House amendment amends section 1105 of title 31 of the U.S. Code to add new subsection (e). This subsection requires the President beginning in January of 1985, as part of his annual budget, to provide more detailed information on each major military and civilian public Federal capital investment program. In addition to an analysis of funding requested, it would also require the budget document to include an estimate of the current service levels of public capital investments and alternative high and low levels of such investments over a period of ten years in current dollars and over a period of five years in constant dollars. It would further require the provision of the most recent needs assessment covering the next ten years for each major civilian public program area and an identification and analysis of policy issues and other factors affecting capital investment needs for each major civilian public program.

This information is to be organized by State and major metropolitan areas within each State whenever the data are available. Public civilian capital investments include any roadways or bridges, airports or airway facilities, mass transportation systems, wastewater treatment or related facilities, water resource projects, hospitals, resource recovery facilities, public buildings, space or communication facilities, or railroads. Military capital investments include military bases, posts, installations, or facilities and military weapons system platforms, excluding weapons or supplies carried on such platforms. This section also defines the terms "construction," "acquisition," and "rehabilitation."

CONFERENCE SUBSTITUTE

The conference substitute is substantially the same as the House amendment. The conferees have included the broad "generic" House definitions of the categories of spending on which the President is required to report. In one instance, namely "federally-assisted housing", where the Senate definition did not fall within a House classification, the specific provision was added. For the remaining categories, it is assumed that the specific Senate classifications fall within the generic provisions and that information will be made available for these categories.

The conferees limited the reporting requirement on military capital investments to those items which have traditionally been considered part of the military construction program, namely military bases, posts, installations, and facilities.

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